

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 04/22/2009
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 295055		(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 10/11/2008	
NAME OF PROVIDER OR SUPPLIER COLLEGE PARK REHABILITATION CENTER				STREET ADDRESS, CITY, STATE, ZIP CODE 2856 E. CHEYENNE AVE. NORTH LAS VEGAS, NV 89030			
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F 000	INITIAL COMMENTS This Statement of Deficiencies was generated as the result of a Medicare Complaint Investigation which was conducted at your facility on October 11, 2008. The census at the beginning of the survey was 93. CPT# 19510 - Substantiated (F Tags 225, 309) The findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigation, actions or other claims for relief that may be available to any party under applicable federal, state, or local laws. The following regulatory deficiencies were identified.			F 000			
F 225 SS=D	483.13(c)(1)(ii)-(iii), (c)(2) - (4) STAFF TREATMENT OF RESIDENTS The facility must not employ individuals who have been found guilty of abusing, neglecting, or mistreating residents by a court of law; or have had a finding entered into the State nurse aide registry concerning abuse, neglect, mistreatment of residents or misappropriation of their property; and report any knowledge it has of actions by a court of law against an employee, which would indicate unfitness for service as a nurse aide or other facility staff to the State nurse aide registry or licensing authorities. The facility must ensure that all alleged violations involving mistreatment, neglect, or abuse, including injuries of unknown source and misappropriation of resident property are reported immediately to the administrator of the facility and to other officials in accordance with State law			F 225			

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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F 225	<p>Continued From page 1</p> <p>through established procedures (including to the State survey and certification agency).</p> <p>The facility must have evidence that all alleged violations are thoroughly investigated, and must prevent further potential abuse while the investigation is in progress.</p> <p>The results of all investigations must be reported to the administrator or his designated representative and to other officials in accordance with State law (including to the State survey and certification agency) within 5 working days of the incident, and if the alleged violation is verified appropriate corrective action must be taken.</p> <p>This REQUIREMENT is not met as evidenced by: Based on interview, record review, and document review, the facility failed to demonstrate evidence of a thorough investigation of an injury of unknown origin for 1 resident (#1).</p> <p>Findings include:</p> <p>Resident #1</p> <p>Review of the record revealed the resident was a 48 year-old female who was admitted on 5/27/08 with diagnoses including Anoxic Brain Injury, Mental Retardation, and General Muscle Weakness.</p> <p>Document Review</p> <p>On 10/10/08 at 6 pm, the initial self report was received from the facility which indicated Resident</p>	F 225			

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F 225	<p>Continued From page 2</p> <p>#1 sustained a "Fx (fracture) of unknown origin."</p> <p>The initial report indicated:</p> <ul style="list-style-type: none"> - "Pt (patient) was being transferred by CNA (certified nursing assistant) when patient complained of pain in her leg. Patient assessed by nurse after she yelled my knee, my knee. Patient checked on frequently throughout notes and was sleeping. Day shift transferring pt for morning care, pt yelled out again. STAT (immediate) x-ray completed. Copy of report attached. Pt sent to (acute care hospital) per MD (medical doctor) and family directive." - X-ray results dated 10/10/08 at 11:04 am <p>"Results: There is a fracture involving the proximal tibia with mild displacement. The knee and ankle joints are intact in alignment. Osteoporosis is present. Conclusion: Acute right lower leg fracture as described. Osteoporosis is present... This report is based solely upon the radiographic examination. Correlation with the clinical examination is essential."</p> <p>The final one page report dated 10/23/08, revealed:</p> <p>"This is our final conclusion...After investigation of events surrounding this fracture, we have been able to determine that this was a spontaneous fracture relating to osteoporosis as noted on the x-ray dated 10-09-08 (The x-ray was actually dated 10/10/08). We have further identified areas of improvement related to assessment skills and documentation. After interviewing staff who cared for this patient, and residents residing at (the facility), we are able to determine there was no abuse/neglect indicated."</p> <p>There was no accompanying documented</p>	F 225			

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F 225	<p>Continued From page 3</p> <p>evidence of the investigation such as, interviews, statements, possible causes of injury, and a timeline. There were no measures to prevent a recurrence, no documented evidence of follow-up with the hospital to ensure correlation of radiological findings with the clinical exam.</p> <p>Record Review</p> <p>Nurse's notes indicated:</p> <p>- 10/9/08 6:30 pm, "Entered patient room after hearing patient yell out in painful screams. Observed CNA (certified nursing assistant) ... putting patient back to bed. When asked what was wrong was stated she didn't know at this time. Patient was sitting on side of bed, right foot on floor and holding left leg up in air indicating the pain was in left leg. I checked ROM (range of motion)...ankle and foot. At this time asked if it still hurt and she stated it was all right. CNA proceeded to put patient back to bed and I returned to another patient... 2030 (8:30 pm) Went to patient's room to check on patient asked if she was ok and she indicated she was ok and not in pain."</p> <p>- 10/10/08 2:00 am, "Check on patient, observed asleep...0400 (4:00 am) CNA...expressed patient had painful yell when she turned her to clean her and change diaper. When (went?) to see patient and she was awake. Checked left leg and still no sign of problem. Returned to desk and asked charge nurse to check patient and explained earlier problem. 0530 (5:30 am) Observed patient appears to sleep and resting quiet. 0620 (6:20 am) Reported to oncoming nurse of patient and we went to check patient. Check left leg and found nothing. When checking right leg noted bruise 2" (2 inches) below knee on skin and</p>	F 225			

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F 225	<p>Continued From page 4</p> <p>swelling at and above knee. Patient wrenched and observed was painful. Determined patient needed x-ray. Call placed and request was made." Subsequent notes indicated the resident was placed on bedrest until the x-ray and results were completed. At 12:00 pm the family was notified of the resident's incident and at 2:00 pm the x-ray result disclosed a fracture. The physician was informed and ordered the resident to be sent out to the hospital.</p> <p>From 6:30 pm on 10/9/08 through 6:20 am on 10/10/08, the patient went without a thorough assessment of her pain complaint (at 6:30 pm on 10/9/08 and also at 4 am on 10/10/08, no thorough assessment was done when it was documented the resident cried out) which delayed treatment for a total of 12 hours for the fracture of the right leg.</p> <p>Interview</p> <p>On 10/11/08 at 2 pm, Employee (Emp) #1 via face-to-face interview revealed the following:</p> <ul style="list-style-type: none"> - "Last Thursday 10/9/08, came in on swing shift. (Resident (Res) #1) usually sits and watch TV. Asked her 'do you want to be changed?' Said she was fine. Gave choice to wait until dinner time. After dinner asked her if she wanted to lay down. Told her I'm doing my rounds. Told her 8:45 pm time to lay down. When I was transferring, usually easy but this time she screamed. I called the nurse ... was told maybe she has a cramp and when she tried to touch the right leg she screamed. (There was) no swelling, no bruises..." - Emp #1 demonstrated the transfer and revealed, "During the transfer she was OK but 	F 225			

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F 225	<p>Continued From page 5</p> <p>when putting her (Res #1) legs up into the bed, then she screamed in pain..."</p> <p>On 10/11/08 at 3:30 pm, Emp #2 via telephone interview revealed the following:</p> <p>- Emp #2 "heard the scream and (Res #1) was sitting on the side of the bed and she said 'What is wrong' (Res #1 said) I don't know. Emp #2 rubbed her left calf, assuming she had a cramp of the left leg. The right leg was on the floor... nobody said anything to me and (Res #1) was sleeping till 4 am when (CNA) needed to change her (Res #1) diaper and I told the charge nurse (regarding the bruising and swelling of the right leg) ... I should have done a better exam (when first assessing the complaint of pain)..."</p> <p>Hospital Record Review</p> <p>The hospital's diagnostic radiological ad CT (computerized tomography) results revealed:</p> <p>- "10/10/08 ... Right Knee Series ... History: Fell... Impression: Lateral tibial plateau fracture which extends into the proximal tibia."</p> <p>- "10/11/08 ... CT of the right lower leg without contrast... Impression:</p> <ol style="list-style-type: none"> 1. Complex spiral fracture of the proximal tibia, which does extend to an (and?) involve the lateral tibial plateau... 2. Fracture of the proximal fibular head, which does extend into the proximal tibiofibular articulation ... 3. Lipohearthrosis. 4. Diffuse osteopenia." <p>The admission history and physical dated 10/11/08, indicated the physician's assessment was:</p>	F 225			

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F 225	<p>Continued From page 6</p> <p>"1. Status post fall with fibular head fracture and tibia fracture. 2. Osteopenia and osteoporosis. 3. History of anoxic encephalopathy. 4. History of mental retardation."</p> <p>Hospital Staff Interview</p> <p>On 11/24/08, the following individual interviews were conducted via telephone:</p> <p>At 9:04 am, Physician #1 indicated the following regarding Resident #1's right leg fracture:</p> <p>- "The tech (radiology technician) may have put 'fall' down to clarify the history, but I did not talk to anybody to determine that a fall took place..." - "There was no spontaneous break with this type of injury...with a fracture from osteoporosis usually you have a fracture with no trauma... With a twist to the knee due to the spiral fracture this was a trauma caused possibly if the foot got caught or twisted in something during the transfer..."</p> <p>At 10:55 am, Physician #2 indicated the following regarding Resident #1's right leg fracture:</p> <p>- "The fracture can occur from minor trauma... I can't be sure what the mechanism of fracture but minor trauma was definitely done... maybe she tried to get up and fell... not osteoporosis by itself... maybe caught leg on something and a fall... but if they say 'we don't know what happened,' that's strange... could be physical abuse but it may not be... if there was evidence of abuse in the past, this could be..."</p>	F 225			

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F 225	Continued From page 7 At 12:29 pm, Physician #3 indicated the following regarding Resident #1's right leg fracture: "... Generally, spontaneous fractures are compression fractures in the back and they (patients) become at risk for hip fracture. It's unusual for a patient with osteopenia and osteoporosis with this fractured tibia ... I'll be honest with you, trying to differentiate between an accident and abuse, the only thing would be a history of prior injuries."	F 225			
F 309 SS=D	CPT #19510 483.25 QUALITY OF CARE Each resident must receive and the facility must provide the necessary care and services to attain or maintain the highest practicable physical, mental, and psychosocial well-being, in accordance with the comprehensive assessment and plan of care. This REQUIREMENT is not met as evidenced by: Based on interview and record review, the facility failed to initially conduct a thorough assessment which contributed to a delay in the treatment of a resident who sustained a fracture (#1). Findings include: Resident #1 Review of the record revealed the resident was a 48 year-old female who was admitted on 5/27/08 with diagnoses including Anoxic Brain Injury, Mental Retardation, and General Muscle	F 309			

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F 309	<p>Continued From page 8</p> <p>Weakness.</p> <p>Record Review</p> <p>Nurse's notes indicated:</p> <p>- 10/9/08, 6:30 pm, "Entered patient room after hearing patient yell out in painful screams. Observed CNA (certified nursing assistant) ... putting patient back to bed. When asked what was wrong was stated she didn't know at this time. Patient was sitting on side of bed, right foot on floor and holding left leg up in air indicating the pain was in left leg. I checked ROM (range of motion)...ankle and foot. At this time asked if it still hurt and she stated it was all right. CNA proceeded to put patient back to bed and I returned to another patient... 2030 (8:30 pm) Went to patient's room to check on patient asked if she was ok and she indicated she was ok and not in pain."</p> <p>- 10/10/08 2:00 am, "Check on patient, observed asleep...0400 (4:00 am) CNA...expressed patient had painful yell when she turned her to clean her and change diaper. When (went?) to see patient and she was awake. Checked left leg and still no sign of problem. Returned to desk and asked charge nurse to check patient and explained earlier problem. 0530 (5:30 am) Observed patient appears to sleep and resting quiet. 0620 (6:20 am) Reported to oncoming nurse of patient and we went to check patient. Check left leg and found nothing. When checking right leg noted bruise 2" (2 inches) below knee on skin and swelling at and above knee. Patient wrenched and observed was painful. Determined patient needed x-ray. Call placed and request was made." Subsequent notes indicated the resident was placed on bedrest until the x-ray and results</p>	F 309			

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F 309	<p>Continued From page 9</p> <p>were completed. At 12:00 pm the family was notified of the resident's incident and at 2:00 pm the x-ray result disclosed a fracture. The physician was informed and ordered the resident to be sent out to the hospital.</p> <p>From 6:30 pm on 10/9/08 through 6:20 am on 10/10/08, the resident continued without a thorough assessment of her pain complaint which delayed treatment for a total of 12 hours for the fracture of the right leg.</p> <p>Interview</p> <p>On 10/11/08 at 2 pm, Employee (Emp) #1 via face-to-face interview revealed the following:</p> <ul style="list-style-type: none"> - "Last Thursday 10/9/08, came in on swing shift. (Resident (Res) #1) usually sits and watch TV. Asked her 'do you want to be changed?' Said she was fine. Gave choice to wait until dinner time. After dinner asked her if she wanted to lay down. Told her I'm doing my rounds. Told her 8:45 pm time to lay down. When I was transferring, usually easy but this time she screamed. I called the nurse ... was told maybe she has a cramp and when she tried to touch the right leg she screamed. (There was) no swelling, no bruises..." - Emp #1 demonstrated the transfer and revealed, "During the transfer she was OK but when putting her (Res #1) legs up into the bed, then she screamed in pain..." <p>On 10/11/08 at 3:30 pm, Emp #2 via telephone interview revealed the following:</p> <ul style="list-style-type: none"> - Emp #2 "heard the scream and (Res #1) was sitting on the side of the bed and she said 'What 	F 309			

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F 309	Continued From page 10 is wrong' (Res #1 said) I don't know. Emp #2 rubbed her left calf, assuming she had a cramp of the left leg. The right leg was on the floor... nobody said anything to me and (Res #1) was sleeping till 4 am when (CNA) needed to change her (Res #1) diaper and I told the charge nurse (regarding the bruising and swelling of the right leg) ... I should have done a better exam (when first assessing the complaint of pain)..." CPT #19510	F 309			